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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/779,756	02/17/2004	Ravi Kuchibhotla	CS23735RL	9772
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MOTOROLA INC 600 NORTH US HIGHWAY 45 W4 - 39Q LIBERTYVILLE, IL 60048-5343				
EXAMINER				
TRAN, TUAN A				
ART UNIT		PAPER NUMBER		
2618				
NOTIFICATION DATE		DELIVERY MODE		
03/20/2009		ELECTRONIC		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

DOCKETING.LIBERTYVILLE@MOTOROLA.COM

ADB035@Motorola.com

Office Action Summary

Application No.

10/779,756

Applicant(s)

KUCHIBHOTLA ET AL.

Examiner

TUAN A. TRAN

Art Unit

2618

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 05 December 2008.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-22 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-22 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SE/US)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

1. Claims 1-22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Asano (2004/0098482) in view of Gleichauf (2003/0191966).

Regarding claims 13-14, 16 and 19-22, Asano discloses a communication network configured to isolate a communication device (See fig. 1), the network comprising: a register 215 configured to register an identification of a communication device (PC1-PC4) authorized to access the communication network; a receiver coupled to the register 215, the receiver configured to receive a call from the communication device; a call characterizer 213 coupled to the receiver, the call characterizer 213 configured to determine whether data being transmitted from the communication device includes a virus; and a transmitter coupled to the call characterizer 213, wherein the communication network being configured to disable data communication to/from the communication device if the call characterizer 213 determines that the data transmitted from the communication device includes the virus (See figs. 1-2 and page 3 [0038-0042]). However, Asano does not mention that the communication network being configured to de-register the infected communication device, prohibit/restrict the infected communication device from further communications, communicate and re-

direct the infected communication device to a remediation center which is design to remediate the infected communication device. Gleichauf teaches a communication network configured to isolate a virus-infected communication device, wherein the network being configured to disable communication of the infected communication device, de-register the infected communication device, prohibit/restrict the infected communication device from further communications (it is commonly known in the art that the user device is alerted when it is denied/prohibited/restricted its access/services provided by the network), communicate and re-direct the infected communication device to a remediation center which is design to remediate the infected communication device (See fig. 1 and page [0030] to page 4 [0032], page 6 [0052], page 7 [0057], page 7 [0060-0062]). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to apply the teaching of Gleichauf in the modifying the communication network, as disclosed by Asano, for the advantage of preventing the virus spreading in order to enhance the security as well as the quality of service of the network.

Claims 1, 4-7 and 9-12 are rejected for the same reasons as set forth in claims 13-14, 16 and 19-22, as method.

Regarding claim 15, Asano & Gleichauf disclose as cited in claim 13. Gleichauf further discloses the identification of the infected communication device is maintained (storing) by the communication network (See page 7 [0061], page 4 [0032]).

Claim 8 is rejected for the same reason as set forth in claim 15, as method.

Regarding claims 17-18, Asano & Gleichauf disclose as cited in claim 13. Asano further discloses the call characterizer 213 is further configured to compare pattern of the data being transmitted by the communication device to a predetermined pattern of data known to include a virus to detect the virus (See page 3 [0041]).

Claims 2-3 are rejected for the same reasons as set forth in claims 17-18, as method.

Response to Arguments

Applicant's arguments with respect to claims 1-22 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to TUAN A. TRAN whose telephone number is (571)272-7858. The examiner can normally be reached on Mon-Fri, 10:00AM-6:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Matthew Anderson can be reached on (571) 272-4177. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Tuan A Tran/
Primary Examiner, Art Unit 2618